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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/711,566

09/24/2004

Glenn Meekma

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EXAMINER

BOSWELL, CHRISTOPHER J

ART UNIT

PAPER NUMBER

3673

MAIL DATE

DELIVERY MODE

01/11/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/711,566

Applicant(s)

MEEKMA ET AL.

Examiner

Christopher Boswell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-14, 16-27, 29, 30 and 35-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16, 17 and 27 is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-14, 18-26, 29, 30 and 35-37 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 18, 29-30, 36 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,791,170 to Officer.

Officer discloses a cable lock (10) comprising a flexible cable (14), a lock body (11) defining a passageway (13) for receiving the flexible cable therethrough, a lock mechanism (19) operable between a locked condition (figure 1c) and an unlocked condition (figure 1a), the lock mechanism being configured to prevent movement of an inserted portion of the flexible cable with respect to the passageway when in the locked condition (column 3, lines 47-50), and a blocking member (24 and 25) extending across said passageway, the blocking member being configured to block insertion of a first end of the flexible cable through the passageway in a first direction when the lock mechanism is in the unlocked condition, the blocking member being further configured to permit insertion of the first end of the flexible cable through the passageway in a second direction opposite the first direction (column 3, lines 33-46), a sin claim 36.

Officer also discloses cable includes a second end (12) fixably secured to the lock body, as in claim 18, as well as a pivotable clamp (17) located at the first end of the cable, as in claim

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29, wherein the pivotable clamp includes a detent mechanism (27) that secures the pivotable clamp in a predefined orientation, as in claim 30, and the lock mechanism is further operable to a cinch condition (figure 1b), wherein said cable is only movable within said passageway in the second direction, as in claim 37.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6-8, 10-13, 19-25 and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,791,170 to Officer, in view of U.S. Patent Application Publication Number 2004/0011098 to Yang.

Officer discloses a cable lock (10) comprising a flexible cable (14), a lock body (11) including a passageway therethrough (13), and a lock mechanism (16) including a lever arm (17), wherein the lever arm causes a locking member (24 and 25) to move into and out of engagement with the flexible cable when the flexible cable is inserted into the passageway (figures 1a-1c), as in claim 1. However, Officer does not disclose a combination lock. Yang teaches a combination lock mechanism (figure 1) including a set of combination dials (3), a lever arm (14), and a user graspable rotatable knob (1) connected to the lever arm wherein the lever arm causes a locking and an unlocking of the assembly, as well as a reset feature (paragraph 28)

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allowing new combinations to be set, as in claim 6, wherein the reset feature includes a reset button (8) located on a portion of the lock body, as in claim 7, and at least one of the set of combination dials includes a shoulder (32) that prevents access between the at least one of the set of combination dials and the lock body, as in claim 8. Because both Officer and Yang teach means for actuating a lock, it would have been obvious to one with ordinary skill in the art at the time the invention was made to substitute one locking mechanism for the other where the graspable rotatable knob of Yang would actuate the lever arm of Officer to achieve the predictable results of locking a securing mechanism.

Officer also discloses the cable lock includes three positions an unlocked position (figure 1a), wherein the cable is movable within the passageway in either one of an inserting direction and a withdrawing direction opposite the inserting direction, a cinch position (figure 1b), wherein the cable is only movable within the passageway in the inserting direction, and a locked position (figure 1c), wherein movement of the cable within the passageway in either one of the inserting direction and the withdrawing direction is prohibited, as in claim 2, as well as the cable includes an end (12) fixably secured to the lock body, as in claim 3.

Officer additionally discloses a spring member (27) located within the passageway that allows the cable to be inserted into the passageway only in one direction (figures 1b and 1c), as in claim 10, and the locking member includes a rotatable cam (17) and locking clamp (24 and 25), as in claim 11, wherein the locking clamp slides along a sloped surface (the sloped side of the cam member before it is rotated to a locked position) in order to engage and disengage the cable (figures 1b and 1c), as in claim 12, as well as a pivotable clamp (17) located at one end of the cable, as in claim 13.

Officer also discloses a cable lock (10) comprising a flexible cable (14), a lock body (11) including a passageway (13) therethrough and a lock mechanism (19) including an actuating member (16), a locking member (24 and 25), and the actuating member is operable to move the locking member to any one of three positions an unlocked position (figure 1a), wherein the cable is movable within the passageway in either one of an inserting direction and a withdrawing direction opposite the inserting direction, a cinch position (figure 1b), wherein the cable is only movable within the passageway in the inserting direction, and a locked position (1c), wherein movement of the cable within the passageway in either one of the inserting direction and the withdrawing direction is prohibited, as in claim 35.

However, Officer does not disclose a combination lock. Yang teaches a combination lock mechanism (figure 1) including a set of combination dials (3), a lever arm (14), and a user graspable rotatable knob (1) connected to the lever arm wherein the lever arm causes a locking and an unlocking of the assembly, as well as a reset feature (paragraph 28) allowing new combinations to be set, as in claim 19, wherein the reset feature includes a reset button (8) located on a portion of the lock body, as in claim 20, and at least one of the set of combination dials includes a shoulder (32) that prevents access between the at least one of the set of combination dials and the lock body, as in claim 21. Because both Officer and Yang teach means for actuating a lock, it would have been obvious to one with ordinary skill in the art at the time the invention was made to substitute one locking mechanism for the other where the graspable rotatable knob of Yang would actuate the lever arm of Officer to achieve the predictable results of locking a securing mechanism.

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Yang also discloses a spring member (27) located within the passageway that allows the cable to be inserted into the passageway only in one direction (figures 1b and 1c), as in claim 23, and a pivotable clamp (17) located at one end of the cable, as in claim 24, wherein the pivotable clamp include a detent mechanism (27) that secures the pivotable clamp in a predefined orientation (figures 1b and 1c), as in claim 25.

Claims 9 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang, as applied above, in view of U.S. Patent Number D469,332 to Meekma et al.

Yang discloses the invention substantially as claimed. However, Yang does not disclose indication features. Meekma et al. teaches of a cable lock assembly having a flexible cable, a lock body having a passageway therethrough, wherein the lock body has indication features (Figure 3; an indication feature is located adjacent the insertion hole of the passageway) in the same field of endeavor for the purpose of indicating which direction the cable is to be inserted into the passageway. It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate an indication feature, as taught by Meekma et al., onto the lock body of Yang in order to indicate which direction the cable is to be inserted into the passageway.

Claims 14 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang, as applied above, in view of U.S. Patent Number 5,638,707 to Gould.

Yang discloses the invention substantially as claimed. However, Yang does not disclose a protective cover covering the combination dials. Gould teaches of a protective cover (10) of a

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portable locking assembly (50) that selectively covers a keypad (54) used to unlock the locking assembly (flap 20 being movable to allow a user to access the keypad) in the same field of endeavor for the purpose of protecting the locking assembly from adverse environmental conditions (column 1, lines 51-55). It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate a protective cover, as taught by Gould, to the lock of Yang, where the cover would surround the lock and provide openings that correspond to the holes and cables of the lock, where a flap would allow access to the combination dials in order to protect the lock from adverse environmental conditions.

Allowable Subject Matter

Claims 16-17 and 27 are allowed.

Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance: The claims are allowable over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that of a cable lock assembly having a flexible cable, a lock body, a dial actuated combination lock, an actuation member and a frangible connection affixing the actuation member to the lock assembly.

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Response to Arguments

Applicant's arguments with respect to claims 1-3, 5-14, 16-27, 29, 30, and 35-37 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to cable locks:

U.S. Patent Number 6,997,023 to Huang, U.S. Patent Number 6,609,399 to Daniels, Jr.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Boswell whose telephone number is (571) 272-7054. The examiner can normally be reached on 9:00 - 4:00 M-F.

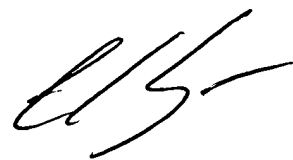
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patricia Engle can be reached on (571) 272-6660. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher Boswell
Examiner
Art Unit 3673

CJB *CB*
January 7, 2008



CARLOS LUGO
PRIMARY EXAMINER